

**Probate Committee
Judicial Conference of Indiana**

August 19, 2005
Minutes

1. Members present. The following members of the committee were present: Kevin Barton, Larry Bradley, Barbara Harcourt, Phillip Houk, Wayne Lennington, Peter Nemeth, Kathy Smith, and Terrence Cody, Chair.
2. Staff present. Michelle C. Goodman provided the committee with staff assistance.
3. Approval of minutes. The Committee approved the minutes from the June 24, 2005 meeting.
4. Deskbook revisions. The Committee members discussed their assigned sections of HEA 1153 and whether or not to make changes to the Deskbook. The Committee asked Michelle to draft the changes recommended by Judge Smith for the next meeting. The Committee then discussed the areas of trust and power of attorney, which comprised much of HEA 1153. The Committee decided to add sections to the Deskbook discussing limited areas involving trusts and powers of attorney that would likely come before a court. The Committee decided to develop a list of potential topics for these sections for review at the next meeting.
5. Report from State Bar Section meeting. The Committee received the report from the Section meeting held in July. The materials provided also included recommendations the Section will be making to the Probate Code Study Commission this fall. The Committee reviewed and discussed the materials. Michelle distributed a calendar that shows the meeting dates for the Probate Code Study Commission.
6. Other business. The Committee discussed a question raised concerning claims being filed without an estate being opened and decided that claims should be returned as not filed because no estate exists.

The Committee thanked Judge Cody for his service on the Committee and for serving as chair. Judge Cody said he would still remain involved by attending the State Bar Section meetings and forwarding that information to the Committee.
7. Next meeting. The next meeting is scheduled for Friday, November 18, 2005 at 1:30 p.m. at the Judicial Center.

Respectfully Submitted,

Michelle C. Goodman